

SEP 16 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1638

In re

Patent Application of

Paul Sun, et al.

Application No. 09/773,976

Confirmation No.: 6280

Filed: January 31, 2001

Examiner: Moonan, Francis P.

"ALFALFA HYBRIDS HAVING AT LEAST
75% HYBRIDITY"

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment in the above-noted application. The fee has been calculated as shown below. Also enclosed is the Declaration of Paul Sun Under 37 C.F.R. § 1.132, the Curriculum Vitae of Paul Sun, a Request for Extension of Time and check no. 45254 in the amount of \$460.00 as payment of the fee for such extension of time. Applicant claims small entity status.

CLAIMS AS AMENDED							
	(1)	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NO PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS		9	MINUS	20	0	X \$9	0.00
INDEP CLAIMS		3	MINUS	3	0	X \$42	0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT ----					0.00		

No additional fee is required.

In the event Applicant has overlooked the need to request an extension of time, please consider this a request for same.

I, Leslie Lindsay, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the date of my signature.

Signature

Date of Signature

Leslie Lindsay

Sept. 10, 2002

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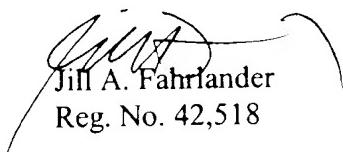
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Charge or credit Deposit Account No. 13-3080 with any shortage or overpayment of the fees associated with this communication. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Jill A. Fahrlander
Reg. No. 42,518

File No. 087165-9051

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#9/a
on 9/20/02

READER

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"ALFALFA HYBRIDS HAVING AT LEAST 75%
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I, Leshe Lindsay, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the date of my signature

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RESPONSE

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In the matter of the above-noted application, and in response to the non-final Office Action mailed March 15, 2002, Applicants respectfully request entry of the amendment, reconsideration on the merits of the application, and allowance of the claims. The response includes a marked up version of the amendment showing clearly the changes. The response is accompanied by a Declaration of Dr. Paul Sun under 37 C.F.R. 1.132.

AMENDMENT

In the specification:

On page 2, lines 6-21, please replace the second through fourth paragraphs with the following:

In one aspect, the present invention provides a *Medicago sativa* hybrid seed or cultivated alfalfa seed designated DS9705Hyb ((A833 x B209) x (Thor, DS9761 and C580)), and deposited under the terms of the Budapest Treaty on December 4, 2000 with the America Type Culture Collection (ATCC), Manassas, VA, under Accession Number PTA-2759.